

## **MINUTES**

### **UTAH BOARD OF NURSING**

**October 9, 2008**

**Room 210 - 2nd Floor – 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:05 a.m.

**ADJOURNED:** 1:00 p.m.

**Division Director:**

F. David Stanley

**Secretary:**

Shirlene Kimball

**Compliance Specialist:**

Connie Call

**Conducting:**

K. Joel Allred, Chair

**Board Members Present:**

Peggy Brown  
Diane Forster-Burke  
Mary Williams  
Debra Schilleman  
Marie Partridge  
Susan Kirby  
Joel Allred  
Laurie Simonson

**Board Members Excused:**

Pam Rice  
John Killpack  
Barbara Jeffries

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Education Committee minutes August 14, 2008:

Approved as written.

Education Committee minutes, September 11, 2008:

Approved as written.

Board of Nursing minutes, August 14, 2008:

Approved as written.

Board of Nursing minutes, September 11, 2008:

Approved as written.

##### **NEW BUSINESS:**

Connie Call, Compliance report:

Ms. Call reported the following individuals are out of

compliance with the terms and conditions of their Orders: Karen Christiansen, Dale Hullinger, Kelli Northern, Angie Mangleson, Nancy Whittemore, Tyler Miller, Linda Krava, Michelle Peterson, Erin Crockett, Mark Dudley, Carol Watterson, Kurt Despain, Bambi Koeller and Rhandi Robertson;

Ms. Koeller has not submitted her paperwork and has not been calling CVI. Board members requested she meet with the Board next month.

Michael Jorgensen: Mr. Jorgensen is in Arizona and Ms. Call will contact Mr. Jorgensen to determine whether or not he needs to surrender the Utah license.

Karen Christiansen. Ms. Christiansen will be scheduled to meet with the Board next month.

Modification requests:

Amy Stone: Ms. Stone is requesting termination of urine screens. Ms. Forster-Burke made a Motion to deny the request because urine screens are the only objective way to determine compliance to the Order. Ms. Brown seconded the Motion. All Board members in favor.

Erin Crockett: Ms. Crockett requested the Board accept the urine screens from Drug Court. Board members indicated that Drug Court does not test for synthetic drugs and many individuals on probation with the Board are involved with synthetic prescription medications. If Drug Court is willing to provide the Board with their urine screen results, the Board may consider reducing the number of urine screens required through the Division. Ms. Brown made a Motion to deny her request; however, upon receipt of Drug Court urine screens, the Board would consider reducing the frequency of screens. Ms. Forster-Burke seconded the Motion. All Board members in favor.

Rhandi Robertson requested termination of suspension. Dr. Williams made a Motion to deny the request because Ms. Robertson has never been in compliance with the terms and conditions of her Order. She has a consistent pattern of non-compliance. Ms. Simonson seconded the Motion.

All Board members in favor. Ms. Robertson has also requested she be allowed to work in a physician's office. If the position requires a nursing license, she can not work there. If it does not require a nursing license, she would be able to work in the physician's office.

Lillian Howell: Ms. Howell's therapist submitted a letter indicating Ms. Howell has completed therapy and therapy is no longer necessary. Ms. Forster-Burke made a Motion based on the recommendation of the therapist to terminate the therapy requirement. Ms. Partridge seconded the Motion. All Board members in favor.

Kellie Northern: Ms. Northern is requesting general supervision instead of direct supervision. Ms. Northern had been working for the last six months with general supervision and did not realize she was out of compliance. Dr. Williams made a Motion to deny the request but to amend the Order to allow for the on site supervision of a licensed nurse or physician. A licensed nurse must in the facility while she is working. Ms. Kirby seconded the Motion. All Board members in favor.

Karen Carter: Ms. Carter submitted a letter from Bloomquist and Hale indicating stress management counseling was not necessary. Bloomquist and Hale is not an approved evaluator, but an employer based, short term help resource. Based on her original evaluation, Ms. Carter's evaluator recommended stress management therapy. Board members are concerned Ms. Carter is trying to avoid counseling and expressed concern regarding the recommendation from Bloomquist and Hale. Ms. Simonson made a Motion to table the request until Ms. Carter meets with the Board to discuss this issue. Ms. Forster-Burke seconded the Motion. Mr. Allred opposed. All Board members in favor.

Heather Deering is requesting her suspension be terminated. She is meeting with the psychologist to have the evaluations completed. A Motion was made once the evaluations are completed and if positive, have Ms. Poe review the evaluation. Ms. Poe can

determine whether or not to terminate suspension and place on probation with the terms and conditions outlined in her Order. Ms. Kirby seconded the Motion. All Board members in favor.

Group 1  
Marie Partridge, Conducting  
Shirlene Kimball, Secretary

Members present: Ms. Partridge, Ms. Forster-Burke, and Mr. Allred.

Amy Stone,  
Annual Interview:

Mr. Allred conducted the interview: Ms. Stone reported things were going well. She indicated she is working at Intermountain Medical Center on the medical oncology floor. Mr. Allred expressed concern that in her request to terminate urine screens, she stated her use of alcohol is rare and it sounds like alcohol is still used occasionally. Ms. Stone stated she has had not a drink since she has been on probation. Mr. Allred indicated she had a positive urine screen July 2008 for alcohol. Ms. Stone stated she had chronic bronchitis and was on several cough medications at that time. She stated she feels the positive for the alcohol came from those cough medications. Committee members indicated her request for termination of urine screens was discussed with the Total Board and the request had been denied based on the fact that the urine screen is an objective way to monitor an individual on probation. Mr. Allred questioned whether or not her therapist addresses the shoplifting compulsion or the alcohol issue during therapy? Ms. Stone indicated she does not have an alcohol problem, and the therapist addresses the shoplifting compulsion. Mr. Allred requested a letter from the therapist indicating which addiction he is referring to and what they are working on in therapy. The therapist needs to address that she does not have an alcohol or drug addiction. She indicated her sobriety date is October 2007. She stated she does not think of relapse and has not relapsed. She is not required to attend 12 step meetings, but sees her therapist twice a month. **Ms. Stone appears to be in compliance with the terms and conditions of her Order.**

Kent Wilkinson,  
Annual Interview:

Ms. Forster-Burke conducted the interview. Mr. Wilkinson continues to work in long term care. He reported there are no conflicts with co-workers. He

still needs to complete a course on Legal and Professional issues. Mr. Wilkinson stated he has completed this course. Committee members indicated he must submit the documentation by the end of the week. If he does not submit the documentation, further action may be taken. **Mr. Wilkinson is in compliance with the terms and conditions of his Order; however, he does need to submit documentation of completion of the Legal and Professional continuing education. He stated he will fax this in by the end of next week.**

Theresa Brewer,  
Annual Interview:

Ms. Partridge conducted the interview. Ms. Brewer stated her divorce has been very hard, but feels like she is doing well on probation. She stated she received additional counseling but has now finished with the therapy. She reported she is working at Castle Country Care Center. She stated she attends AA meetings and has a good support system. She stated she has had several thoughts of relapse but has not relapsed since last March. She indicated she avoids alcohol and attends NA once a week. **Ms. Brewer appears to be in compliance with the terms and conditions of her Order.**

Stacy Roberts,  
Board requested interview:

Mr. Allred conducted the interview. Ms. Roberts reported she is currently worked at the VA Nursing Home and reported things are going well at work. She indicated her daughter was recovering from surgery, but was then pulled from her car and beat up. She indicated he is doing fine now. She stated she has some Lortab left over from a previous prescription four months ago and takes them sometimes due to problems with her teeth. Mr. Allred indicated Lortab was the problem that brought her before the Board and can not use old prescriptions. Ms. Roberts stated she does not feel she craves the Lortab. Committee members indicated they are concerned that she has missed numerous urine screens. Mr. Roberts stated she was on vacation in South Dakota and was not able to test there. She stated she is disorganized and sometimes doesn't remember to call. Mr. Allred indicated that needs to change because it puts her out of compliance and her license may be referred for an Order to Show Cause if she does not come into compliance. **Ms. Roberts is out of compliance with**

**the terms and conditions of her Order because of the missed urine screens and not calling CVI**

Traci Johnson,  
New Order:

Ms. Forster-Burke conducted the interview. Ms. Johnson explained the circumstances that brought her before the Board. She reported she has a long history of drug abuse and her drugs of choice were street drugs. She indicated her sobriety date is April 14, 2008. She indicated she now has a sponsor, attends 12-step meetings and has completed her substance abuse evaluation. The recommendation from that evaluation was that she attended treatment twice a week, so she attends a women's group and another meeting on Thursdays. She gave the Board the name of her prescribing practitioner and pharmacy. She stated she has changed her group of friends, has moved and no longer goes to her old surroundings, has a good support system from her family and talks with her sponsor daily. She stated she is not taking any street drugs, not using alcohol and not taking any medications that have not been lawfully prescribed for her. She indicated she is not currently working in nursing. **Ms. Johnson appears to be in compliance with the terms and conditions of her Order.**

Group 2  
Debra Schilleman conducting.  
Connie Call minute taker:

Board members present: Ms. Kirby, Ms. Simonson, Ms. Schilleman and Ms. Brown.

Desirae Larson,  
Annual Interview:

Ms. Schilleman conducted the interview. Ms. Larson discussed her current status and lack of compliance. Ms. Larson needs to come into compliance with CVI by November 1, 2008. She must submit a letter to Ms. Call indicated whether or not she will come into compliance with her Stipulation and Order or if she would like to surrender her license. **Ms. Larson is out of compliance with the terms and conditions of her Order.**

Dale Hullinger,  
Annual Interview:

Ms. Simonson conducted the interview. Mr. Hullinger continues to try and pass the RN-NCLEX examination. He stated he is having problems with CVI because they lost his money order. He was instructed to attend two 12-step and two PIR meetings a month now that he lives on the Wasatch front and PIR is available to him. **Mr. Hullinger appears to be in compliance with the terms and conditions of his**

**Order.**

Steven Booth,  
New Order:

Ms. Kirby conducted the interview. Mr. Booth explained the circumstances that brought him before the Board. Mr. Booth stated he understands the terms and conditions of his Order. He is currently working at Heartwood Home Health and Hospice and stated he understands he can not work in a home health care setting providing hands-on care. He is limited to administrative duties. He was reminded to begin sending in his paperwork in December. **Mr. Booth is in compliance with the terms and conditions of his Order.**

Nora Mitchell,  
Annual Interview:

Ms. Rice conducted the interview by telephone. Ms. Mitchell has a warrant out for her arrest because she has been unable to complete her volunteer service required by the courts. She reported she has had health issues and has an attorney working on this issue. **Ms. Mitchell needs to submit employer reports and is out of compliance with the terms and conditions of her Order.**

Nancy Whittemore,  
Boards request interview:

Ms. Brown conducted the interview. Ms. Whittemore indicated her urine screen was positive because her mother-in-law gave her an "herbal" pill which didn't end up being "herbal". She stated she has learned no matter what do not take a pill when you are not sure what it is and if it has not been prescribed for her. Ms. Whittemore indicated she is starting over on her 12 step program because this is considered a relapse even though it was not intentional. Ms. Whittemore indicated she is employed at Aspen Care Center, but at a different position which will allow her to go for scheduled urine screens. **Ms. Whittemore is out of compliance with the terms and conditions of her Order due to the positive urine screen.**

Rhandi Robertson,  
Interview:

Ms. Schilleman conducted the interview. Ms. Robertson is requesting to have her suspension lifted. She had a relapse on May 2, 2008 and is reworking her steps. She stated she is on Step 12. She indicated she meets with her therapist twice a month and her Bishop met with the Committee as a support. Ms. Robertson was informed she will need to find a sponsor, send in telephone records indicating she did call CVI and

submit therapy and self-assessment forms. Committee members indicated her request was reviewed, however, Board members denied the request based on her non-compliance. She was informed once she came into total compliance the Board would consider terminating her suspension. **Ms. Robertson is out of compliance with the terms and conditions of her Order.**

Report from Education Committee:

Ms. Forster-Burke reported on Ameritech's meeting with the Education Committee. Ms. Forster-Burke reported Ameritech will have a cohort graduate this month. This will be the first cohort to graduate under the new rules regarding the pass rate percentage. The second cohort will graduate in February and the third cohort will graduate in June 2009.

Discuss possible endorsement of the  
Consensus Model for APRN Regulation:

Ms. Poe indicated the Consensus Model for APRN Regulation has been one of the top issues at the NCSBN for the last 15 years. Ms. Poe reported the consensus Model is a draft that can be endorsed by CCNE, NLN, the American Nurse Leaders, NCSBN and individual states. Ms. Poe reported APRN programs would go through a pre-certification process. The roles would be NP, CNS, CNM, CRNA and subspecialties if the state wished to add those. Ms. Kirby made a Motion to endorse the Consensus Model for APRN Regulation. Ms. Forster-Burke seconded the Motion. All Board members in favor.

NCSBN Uniform Core Licensure  
Requirements Conference, November 5-6,  
2008:

Ms. Poe reported that in the early 90s NCSBN passed a resolution regarding core licensure requirements. The document was sent out and it was hoped that all states would move in the same direction. Two issues remain; the LPN by equivalency and the back ground check requirements. It is hoped that states will be compatible by 2010. Ms. Poe reported there is federal funding to help move background checks forward and bring all states into conformity. There will be a meeting held November 5-6, 2008 in Chicago regarding this issue. Ms. Brown and Ms. Forster-Burke indicated they would be able to attend. Dr. Williams will check to see if she can also attend. If Dr. Williams can not attend, Mr. Allred or Ms. Schilleman will attend.

Report from Probation Peer Committee:

Kent Wilkinson: Mr. Wilkinson needs to submit documentation of completion of a professional boundaries course. This report needs to be received by the end of next week.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

December 11, 2008  
Date Approved

(ss) K. Joel Allred, Chair  
K. Joel Allred, Chair, Board of Nursing

December 11, 2008  
Date Approved

(ss) Laura Poe  
Laura Poe, Bureau Manager, Division of Occupational & Professional Licensing